

REMARKS

Claims 17-19, 21, 23, 24, 31, 33, 35-39, 41, 43, 44, 51, 53, 55-65, 67, 69-73, 75, 77 and 78 are pending in this application. By this Amendment, claims 17, 21, 31, 33, 37, 41, 51, 53, 59-63, 67, 71 and 75 are amended, and claims 20, 22, 32, 34, 40, 42, 52, 54, 66, 68, 74 and 76 are canceled. Claim 59 is amended to address a claim objection; claims 37, 51, 61 and 71 are amended to address a rejection under 35 U.S.C. §101; and claims 21, 33, 41, 53, 67 and 75 are amended to correct dependency from canceled claims.

No new matter is added to the application by this Amendment. The features added to independent claims 17, 37, 51, 59, 61, 63 and 71 find support in canceled claim 20 (also claims 32, 40, 52, 66 and 74) and canceled claim 9, as originally filed, and within the specification, as originally filed, at, for example, page 6, lines 17-34 and page 8, lines 11-13. Support for the features added to claims 59-62 is found in canceled claim 13, as originally filed, and within the specification, as originally filed, at, for example, page 7, lines 11-15.

Reconsideration of the application is respectfully requested.

I. Claim Objections

Claim 59 was objected to for alleged informalities. Specifically, the Patent Office alleges that the phrase “an with” should be replaced with the word “with” in line 3 and the phrase “an a” should be replaced with “a” in line 10.

Amended claim 59 overcomes the objections made by the Patent Office.

In view of the amendments to claim 59, Applicants submit that the claim objections are moot.

Accordingly, withdrawal of the objections to the claims is respectfully requested.

II. Rejection Under 35 U.S.C. §101

Claims 37-44, 51-56, 61, 62, 71-78 were rejected under 35 U.S.C. §101 for allegedly being directed to non-statutory subject matter. This rejection is respectfully traversed.

The Patent Office rejections the foregoing claims as allegedly being directed to program code, per se, because claims 37, 51, 61 and 71 recite the feature of “[C]omputer software program...comprising...”.

Claims 37, 51, 61, and 71 were amended to be directed to “[A] computer program product comprising a computer readable storage medium having a computer readable program embodied therein”. Applicant submits that amended claims 37, 51, 61, and 71 are directed to statutory subject matter under 35 U.S.C. §101.

Thus, Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. §101.

III. Rejection Under 35 U.S.C. §102

Claims 17-21, 23, 31-33, 35, 37-41, 43, 51-53, 55, 57, 58, 63-67, 69, 71-75 and 77 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 7,028,102 to Larsson et al. (hereinafter “Larsson”). Applicants respectfully traverse this rejection.

With respect to independent claims 17, 31, 37, 51, 63 and 71, the Patent Office alleges that Larsson discloses each and every feature of the claims. Applicant respectfully disagrees with these allegations by the Patent Office.

Regarding claims 17 and 37, Larsson discloses transmitting a print file directly back to the cellular telephone by means of WAP Protocols (see col. 8, lines 1 to 6 of Larsson). However, Larsson does not disclose transmitting a print file to a storage location in the network. Larsson

discloses that a user has to connect a communication device before the user can send a request for print out.

The presently claimed invention advantageously provides that a print service is requested at a first location without access to a print device, whereby at a second location with access to a print device, the print file may be accessed and printed. The data provided on the storage location in the network may be accessed by another device (i.e., a PC) with more resources than the mobile end device. As a result, a print out is capable of being requested independently from an available output device.

Larsson's embedded print files do not disclose a hypertext page containing the print file resulting from the print job for recall on a location in a communication network. Larsson refers to communication of the service technician with a web server in the internet to select a WAP page presented on a display of the service technician's telephone to be printed out (see col. 10, line 49 – col. 11, line 39 of Larsson). Subsequently, after the selected print request is sent to the print service device, whereby the print request comprises a document address (see col. 11, lines 35 to 39 of Larsson). An address of a document to be printed out can not be considered as an embedded print file, since both the present claims and Larsson (see col. 9, lines 32 to 42 of Larsson) clearly define the print file as the file resulting from the conversion with the help of the printer driver. Larsson's IP address refers to the communication device for sending the print file to it, and the selected link refers to the document to be printed out, which is not a WAP page.

Thus, Larsson fails to disclose a step of starting (claim 17) and means for starting (claim 37) a print job for issuing the data or the file, wherein the print job is based on requirements of the end device, and embedding a print file resulting from the print job in a hypertext page and a step of providing (claim 17) and a means for providing (claim 37) the hypertext page containing

the print file resulting from the print job for recall on a location in the communication network and transmitting to the end device information necessary for accessing the provided hypertext page at the location in the communication network as required by claims 17 and 37.

With respect to claims 31 and 51, Larsson discloses, in a first part, converting of documents into a print file, but not into a hypertext format and, in a second part, describes another embodiment including a WAP-enabled cellular telephone (see col. 9, lines 13 to 61 of Larsson). Nowhere does Larsson disclose converting on server side data or files intended for output into a hypertext format.

Thus, Larsson does not disclose a step of converting (claim 31) and means for converting (claim 51) the data or files intended for output into a hypertext format based on requirements of the end device and a step of providing (claim 31) and means for providing (claim 51) the converted data or files for recall on a location in the communication network and transmitting to the end device information necessary for accessing the converted data at the location in the communication network as recited in claims 31 and 51.

In contrast to Larsson, the presently claimed invention advantageously provides that a print out or output request may be initiated with the help of a mobile device from any place independently from the presence of a communication device. For this purpose, the user only has to transmit information necessary for accessing data or file intended for printing/output (while data indicating printer device or storage location may be predefined). According to Larsson, the service technician is initially required to check the nearby surrounding for an existing communication device (see col. 10, line 46 – col. 11, line 33 of Larsson).

Larsson fails to disclose a step of starting (claim 63) and a means for starting (claim 71) a print job for issuing the data or the file, wherein the print job is based on requirements of the end

device, and embedding the print file resulting from the print job in a hypertext page by writing the data of the print file in the hypertext page, and transmitting (claim 63) and means for transmitting (claim 71) the hypertext page containing the print file to the end device, or providing (claim 63) and means for providing (claim 71) the hypertext page containing the print file for recall on a location in the communication network and transmitting to the end device information necessary for accessing the provided hypertext page at the location in the communication network as required by claims 63 and 71.

Because the features of independent claims 17, 31, 37, 51, 63 and 71 are neither taught nor suggested by Larsson, Larsson cannot anticipate, and would not have rendered obvious to one of ordinary skill in the art, the features specifically defined in amended independent claims 17, 31, 37, 51, 63 and 71 and their dependent claims.

In view of the foregoing, reconsideration and withdrawal of this rejection are respectfully requested.

IV. Rejections Under 35 U.S.C. §103

A. Larsson

Claims 22, 34, 42, 54, 68 and 76 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Larsson. This rejection is respectfully traversed.

In view of the cancelation of claims 22, 34, 42, 54, 68 and 76, this reject is moot.

Withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.

B. Larsson in view of Christfort et al.

Claims 24, 36, 44, 56, 70 and 78 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Larsson in view of U.S. Patent No. 7,089,295 to Christfort et al. (hereinafter “Christfort”). The rejection is respectfully traversed.

The Patent Office acknowledges that Larsson does not teach or suggest a step wherein transmitting takes place via SMS. The Patent Office introduces Christfort as allegedly remedying the deficiencies of Larsson. Applicant respectfully disagrees with these allegations.

Christfort fails to remedy the deficiencies of Larsson as described above with respect to claims 17, 31, 37, 51, 63 and 71, from which claims 24, 36, 44, 56, 70 and 78, respectively, depend because Christfort does not teach or suggest storing a print file embedded in a hypertext page at a storage location in a network.

Thus, Larsson and Christfort, taken singly or in combination, do not teach or suggest a step of starting (claim 17) and means for starting (claim 37) a print job for issuing the data or the file, wherein the print job is based on requirements of the end device, and embedding a print file resulting from the print job in a hypertext page and a step of providing (claim 17) and a means for providing (claim 37) the hypertext page containing the print file resulting from the print job for recall on a location in the communication network and transmitting to the end device information necessary for accessing the provided hypertext page at the location in the communication network as required by claims 17 and 37.

Additionally, Larsson and Christfort, taken singly or in combination, fail to teach or suggest a step of converting (claim 31) and means for converting (claim 51) the data or files intended for output into a hypertext format based on requirements of the end device and a step of providing (claim 31) and means for providing (claim 51) the converted data or files for recall on

a location in the communication network and transmitting to the end device information necessary for accessing the converted data at the location in the communication network as recited in claims 31 and 51.

Moreover, Larsson and Christfort, taken singly or in combination, do not teach or suggest a step of starting (claim 63) and a means for starting (claim 71) a print job for issuing the data or the file, wherein the print job is based on requirements of the end device, and embedding the print file resulting from the print job in a hypertext page by writing the data of the print file in the hypertext page, and transmitting (claim 63) and means for transmitting (claim 71) the hypertext page containing the print file to the end device, or providing (claim 63) and means for providing (claim 71) the hypertext page containing the print file for recall on a location in the communication network and transmitting to the end device information necessary for accessing the provided hypertext page at the location in the communication network as required by claims 63 and 71.

Because the features of independent claims 17, 31, 37, 51, 63 and 71 are not taught or suggested by Larsson and Christfort, taken singly or in combination, these references would not have rendered the features of claims 17, 31, 37, 51, 63 and 71 and their dependent claims obvious to one of ordinary skill in the art.

For at least these reasons, claims 24, 36, 44, 56, 70 and 78 are patentable over all the applied references. Thus, withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.

C. Larsson in view of Christfort et al.

Claims 59-62 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Larsson in view of U.S. Patent Publication No. 2002/0138564 to Treptow et al. (hereinafter “Treptow”). The rejection is respectfully traversed.

With respect to independent claims 59 and 61, the Patent Office acknowledges that Larsson does not teach or suggest that the data source is an e-mail attachment. The Patent Office introduces Treptow as allegedly disclosing e-mail attachments as data sources in a communication network that provides output data from data sources. The Patent Office alleges that it would have been obvious to a person with ordinary skill in the art at the time of the invention was made to incorporate Treptow’s teaching into Larsson’s method for the purpose of supporting one of the most popular data sources by implementing e-mail attachments as data sources for outputting data or printing files, thereby providing a more user friendly and more efficient system. Applicant respectfully disagrees with these allegations.

Contrary to the allegations by the Patent Office, the cited text passages of Larsson at col. 9, lines 8-51 and col. 10, line 40 – col. 11, lines 39 do not teach or suggest starting a print job for issuing the output data or the output file or converting the output data or the output file into a pre-specifiable format, wherein the print job is based on requirements of the end device. Larsson, at best, teaches transmitting a print file to an IP address of a communication device (or a return address of a telephone) or access to a WAP page from a cellular telephone. Additionally, Larsson does not teach or suggest accessing a print file stored in a network from a mobile device. Moreover, Treptow fails to remedy these deficiencies of Larsson.

Neither Larsson nor Treptow, taken singly or in combination, teaches or suggests a step of starting (claim 59) and means for starting (claim 61) a print job for issuing the output data or

the output file or converting the output data or the output file into a pre-specifiable format, wherein the print job is based on requirements of the end device, and a step of providing (claim 59) and means for providing (claim 61) the print file resulting from the print job or the converted output data or the converted output file for recall on a location in the communication network and transmitting to the end device information necessary for accessing the provided print file or converted output data or the converted output file at the location in the communication network as recited in amended claims 59 and 61.

Because the features of independent claims 59 and 61 are not taught or suggested by Larsson and Treptow, taken singly or in combination, these references would not have rendered the features of claims 59 and 61 and their dependent claims obvious to one of ordinary skill in the art.

For at least these reasons, claims 59-62 are patentable over all the applied references. Thus, withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 17-19, 21, 23, 24, 31, 33, 35-39, 41, 43, 44, 51, 53, 55-65, 67, 69-73, 75, 77 and 78 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Early and favorable action is earnestly solicited.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicant respectfully requests that this be considered a petition therefor. The Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,
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